

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
ANGEL QUILES,

Plaintiff,

- against -

THE CITY OF NEW YORK, JOHN SANTIAGO,
JUSTIN SCANLON, TODD OLSEN and JOHN
DOE 1-2, the names being presently unknown,

Defendants.
-----x

FIRST AMENDED COMPLAINT
07-CV-6794 (RJH)(JCF)

Jury Trial Demanded

Angel Quiles, by his attorney, Matthew Flamm, alleges the following upon
information and belief as his First Amended Complaint:

Nature of the Action

1. This civil rights action arises from the defendants' assault, arrest and prosecution of Angel Quiles beginning on July 29, 2006. Plaintiff seeks declaratory relief pursuant to 28 U.S.C. §2201 as well as compensatory and punitive damages for violation of his civil rights under 42 U.S.C. §1983.

Jurisdiction and Venue

2. This action arises under the United States Constitution and 42 U.S.C. §1983. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1331 and §1343(3). Plaintiff asserts jurisdiction over the City of New York under 28 U.S.C. §1367. Plaintiff requests that this Court exercise pendent jurisdiction over those state law claims arising out of the same common nucleus of operative facts as do plaintiff's federal claims.

3. Under 28 U.S.C. §1391(b) and (c), venue is proper in the Southern District of New York because the events giving rise to the claims occurred in that judicial District.

2007 OCT 30 AM 11:51
CITY OF N.Y. LAW DEPT.
OFFICE OF CORP. COUNSEL
COMMUNICATIONS SECTION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANGEL QUILES,

Plaintiff,

- against -

DECLARATION OF SERVICE
07-CV-6794 (RJH)(JCF)

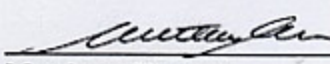
THE CITY OF NEW YORK, JOHN SANTIAGO,
JUSTIN SCANLON, TODD OLSEN and JOHN
DOE 1-2, the names being presently unknown,

Defendants.
-----X

STATE OF NEW YORK)
 : SS. :
COUNTY OF KINGS)

MATTHEW FLAMM, declares the following under penalty of perjury
pursuant to 28 U.S.C. §1746:

That on October ³⁰ 4, 2007, the SUMMONS AND FIRST AMENDED
COMPLAINT was served upon Michael Cardozo, Assistant Corporation Counsel
and attorney for defendant City of New York, at 100 Church Street, New York, New
York, that being the address within the State theretofore designated for that
purpose, by personally delivering a copy thereto as evidenced by the date/time
stamp appearing on the annexed copy of the Summons and the first page of the
Complaint.



Matthew Flamm

UNITED STATES DISTRICT COURT
SOUTHER DISTRICT OF NEW YORK

-----X

ANGEL QUILES,

Plaintiff

07-CV-6794 (RJH)(JCF)

- against -

THE CITY OF NEW YORK, ET AL.,

Defendants.

-----X

PROOF OF SERVICE OF THE
FIRST AMENDED COMPLAINT

Matthew Flamm
Attorney for Plaintiff
26 Court Street, Suite 600
Brooklyn, New York 11242 (718) 797-3117